

Arizona Education and Learning Accountability System (AELAS)

Arizona Revised Statutes 15-249. Department of education; education learning and accountability system; reports; reviews

A. Subject to appropriation of state monies, or receipt of federal monies, private donations or grants from any lawful public or private source for this purpose, the department of education, in coordination with the data governance commission established by section 15-249.01, shall develop and implement the education learning and accountability system to collect, compile, maintain and report student level data for students attending public educational institutions that provide instruction to pupils in preschool programs, kindergarten programs, grades one through twelve and postsecondary educational programs in this state.

B. The education learning and accountability system shall:

1. Maintain longitudinal, student level data, including student demographic, grade level, assessment, teacher assignment and other data required to meet state and federal reporting requirements.
2. Incorporate the student accountability information system prescribed in chapter 9, article 8 of this title.
3. Be accessible through commonly used internet web browsers to carry out the data collection, compilation and reporting duties prescribed in this title.

C. The department of education may contract with a third party to carry out the purposes of this section.

D. The department of education, in coordination with the data governance commission, shall develop a detailed plan to develop and implement the education learning and accountability system.

E. The department of education shall present the plan developed pursuant to subsection D of this section to the state board of education for review and approval. The department of education shall continue to provide quarterly reports to the state board of education, or on request, for review and approval of the state board of education, on the development and implementation of the education learning and accountability system. All reports provided shall include progress and expenditures to date, timelines and cost estimates for completion.

F. Any contract awarded pursuant to subsection C of this section shall allow the superintendent of public instruction to renew the contracts for two subsequent periods of not more than three years each and shall prescribe the circumstances under which the superintendent of public instruction may terminate the contracts. The contracts shall allow this state to cancel any contract at any time after the first year of operation, without penalty to this state, on ninety days' written notice and shall require the contractor to be in compliance at all times with state and federal law.

G. Any contract awarded pursuant to subsection C of this section may provide for annual contract price or cost adjustments, except that any adjustments may be made only once each year effective on the anniversary of the contract's effective date. Any adjustment made pursuant to the terms of the contract must be applied to the total payments made to the contractor for the previous contract year and shall not exceed the percentage change in the average consumer price index as published by the United States department of labor, bureau of labor statistics between that figure for the latest calendar year and the next previous calendar year. Any price or cost adjustments that are different than those authorized in this subsection may be made only if the legislature specifically authorizes the adjustments and appropriates monies for that purpose, if required.

H. The superintendent of public instruction shall not award a contract pursuant to this section unless:

1. The superintendent of public instruction receives an acceptable proposal pursuant to any request for proposals. For the purposes of this paragraph, "acceptable proposal" means a proposal that substantially meets all of the requirements or conditions prescribed in this section and in the request for proposals.
2. The proposal offers a level and quality of services that equal or exceed the services that would be provided by this state.
3. The contractor provides audited financial statements for the previous five years, or for each year that the contractor has been in operation if fewer than five years, and provides other financial information as requested.

I. The sovereign immunity of this state does not apply to any contractor who is a party to any contract pursuant to this section. The contractor or any agent of the contractor may not plead the defense of sovereign immunity in any action arising out of the performance of the contract.

J. The terms of any contract pursuant to this section are subject to review by the joint legislative budget committee before placement of any advertisement that solicits a response to a request for proposals. Any proposed modification or amendment to the contract is subject to prior review by the joint legislative budget committee.

K. During the first year of operation under a contract executed pursuant to this section, the contracting entity shall submit monthly reports to the department of education as prescribed by the department. After the first year of operation under the contract, the contracting entity shall submit quarterly reports to the department as prescribed by the department.

L. At the end of the second year of a contract executed pursuant to this section, an independent evaluator selected by the superintendent of public instruction shall conduct and complete a performance review to determine if the contracting entity has met the goals specified in the contract. The independent evaluator shall submit a report of the independent evaluator's findings to the governor, the president of the senate and the speaker of the house

of representatives on or before May 1, and shall provide a copy of this report to the secretary of state.

Arizona Revised Statutes 15-249.01. Data governance commission; membership; terms; duties

A. The data governance commission is established in the department of education consisting of:

1. The chief technology managers, or the managers' designees, of each of the universities under the jurisdiction of the Arizona board of regents.

2. The chief technology manager, or the manager's designee, of a community college district located in a county with a population of eight hundred thousand persons or more who has expertise in technology and who is appointed by the governor.

3. The chief technology manager, or the manager's designee, of a community college district located in a county with a population of less than eight hundred thousand persons who has expertise in technology and who is appointed by the governor.

4. The chief executive officer of the Arizona early childhood development and health board or the chief executive officer's designee.

5. An officer or employee of a school district located in a county with a population of eight hundred thousand persons or more who has expertise in technology and who is appointed by the governor.

6. An officer or employee of a school district located in a county with a population of less than eight hundred thousand persons who has expertise in technology and who is appointed by the governor.

7. An officer or employee of a charter school located in a county with a population of eight hundred thousand persons or more who has expertise in technology and who is appointed by the president of the senate.

8. An officer or employee of a charter school located in a county with a population of less than eight hundred thousand persons who has expertise in technology and who is appointed by the speaker of the house of representatives.

9. Two representatives of the business community, one of whom is appointed by the president of the senate and one of whom is appointed by the speaker of the house of representatives.

10. The superintendent of public instruction or the superintendent's designee.

B. The initial appointed members shall assign themselves by lot to terms of two, three and four years in office. All subsequent appointed members of the commission shall serve four year terms. The chairperson shall notify the governor, the speaker of the house of representatives and the president of the senate on appointments of these terms. Members of the commission shall elect a chairperson from among the members of the commission. Members of the commission shall not receive compensation. The department of education shall provide adequate staff support for the commission.

C. The commission shall identify, examine and evaluate the needs of public institutions who provide instruction to pupils in preschool, kindergarten, grades one through twelve and postsecondary programs in Arizona and shall:

1. Establish guidelines related to the following:

- (a) Managed data access.
 - (b) Technology.
 - (c) Privacy and security.
 - (d) Adequacy of training.
 - (e) Adequacy of data model implementation.
 - (f) Prioritization of funding opportunities.
 - (g) Resolution of data conflicts.
2. Provide recommendations on technology spending.
3. Provide analyses and recommendations of the following:
- (a) The control of data confidentiality and data security for stored data and data in transmission.
 - (b) Access privileges and access management.
 - (c) Data audit management, including data quality metrics, sanctions and incentives for data quality improvement.
 - (d) Data standards for stored data and data in transmission, including rules for definition, format, source, provenance, element level and contextual integrity.
 - (e) Documentation standards for data elements and systems components.
 - (f) Data archival and retrieval management systems, including change control and change tracking.
 - (g) Publication of standard and ad hoc reports for state and local level use on student achievement.
 - (h) Publication of implementation timelines and progress.
4. Submit an annual report on or before December 1 regarding the commission's activities to the governor, the speaker of the house of representatives and the president of the senate. The data governance commission shall provide copies of this report to the secretary of state.